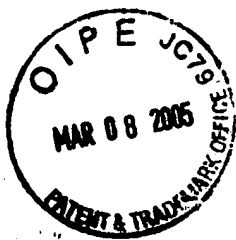


03-09-05

AF



PATENTS

Attorney Docket No. VPI/95-09 DIV

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : David M. Armistead et al.
Application No. : 09/431,469 Confirmation No. : 8756
Filed : November 1, 1999
For : MOLECULES COMPRISING A CALCINEURIN-
LIKE BINDING POCKET AND ENCODED DATA
STORAGE MEDIUM CAPABLE OF GRAPHICALLY
DISPLAYING THEM
Group Art Unit : 1631
Examiner : Marjorie A. Moran

New York, New York
March 8, 2005

Mail Stop AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Appeals
from the decision of the Primary Examiner mailed September
9, 2004 in which the rejection of claims 19-25 and 31-56
was made final.

[] Applicants respectfully request an oral hearing before
the Board of Appeals. The appropriate fee is submitted
herewith.

03/10/2005 LWONDIH1 00000004 09431469

01 FC:1401

500.00 OP

EV615581229US

[X] Address all correspondence to:

James F. Haley, Jr.
Fish & Neave IP Group
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax: (212) 596-9090

[X] A check in the amount of ☐ \$250.00 ☒ \$500.00 in payment of the ☒ appeal fee, ☐ appeal and oral hearing fees, is enclosed.

[X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

☐ Please charge ☐ \$250.00 ☐ \$500.00 to Deposit Account No. 06-1075 in payment of the ☐ appeal fee, ☐ appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

[X] The appropriate fee for a one-month extension of time to respond to the final office action (\$120.00) was timely paid on January 10, 2005.

[X] Please grant a three-month extension of time under 37 C.F.R. § 1.136(a) to respond to the September 9, 2004 Final Office Action. With this extension, a Response is due on or before March 9, 2005.

[X] The following extension fee is applicable to the Notice of Appeal filed herewith; ☐ \$120.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$450.00 extension fee for response within the second month pursuant to 37 C.F.R. § 1.136(a); ☒ \$900.00 (the difference between the extension fee for a third month, \$1,020.00, and the previously paid fee of \$120.00 for a one month extension of time) extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,020.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,590.00 extension fee for response within fourth month pursuant to

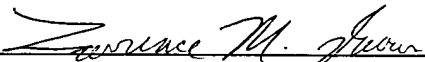
37 C.F.R. § 1.136(a); ☐ \$2,160.00 extension fee for fifth month pursuant to 37 C.F.R. § 1.136(a).

[X] A check in the amount of ☐ \$120.00; ☐ \$450.00;
[X] \$900.00; ☐ \$1,020.00; ☐ \$1,590.00; ☐ \$2,160.00;
in payment of the extension fee is transmitted herewith.

☐ Please charge the ☐ \$120.00; ☐ \$450.00; ☐ \$900.00; ☐ \$1,020.00; ☐ \$1,590.00; ☐ \$2,160.00;
extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicants

Lawrence M. Brown (Reg. No. 52,660)
Agent for Applicants
Fish & Neave IP Group
ROPES & GRAY LLP
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1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax: (212) 596-9090



PATENTS
Attorney Docket No. VPI/95-09 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : David M. Armistead, et al.
Application No. : 09/431,469 Confirmation No. : 8756
Filed : November 1, 1999
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Group Art Unit : 1631
Examiner : Marjorie A. Moran

New York, New York
March 8, 2005

Mail Stop AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

03/10/2005 LUONDIH1 00000004 09431469

02 FC:1253

900.00 OP

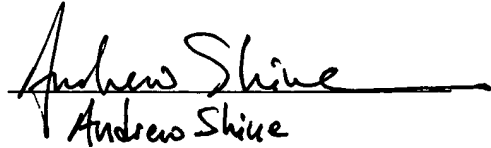
EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EV615581229US

Date of Deposit March 8, 2005

I hereby certify that this transmittal letter and
the other papers and fees identified in this transmittal
letter as being transmitted herewith are being deposited
with the United States Postal Service "Express Mail Post
Office to Addressee" service under 37 C.F.R. § 1.10 on the

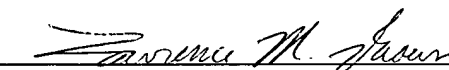
date indicated above and are addressed to Mail Stop AF,
Hon. Commissioner for Patents, P.O. Box 1450, Alexandria,
Virginia 22313-1450.


Andrew Shine

TRANSMITTAL LETTER

Transmitted herewith are: a Notice of Appeal (in duplicate); a check in the amount of \$500.00 in payment of the appeal fee; a check in the amount of \$900.00 in payment of the fee for three months extension of time (\$120.00 was previously paid on January 10, 2005 for a one-month extension of time); and a postcard.

Respectfully submitted,


James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicants

Lawrence M. Brown (Reg. No. 52,660)
Agent for Applicants
Fish & Neave IP Group
ROPES & GRAY LLP
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